

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

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ALEXANDER OTIS MATTHEWS,

*Plaintiff,*

v.

ESTRATEGIA INVESTIMENTOS, et al.,

*Defendants.*

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) Case No. 1:14-cv-207  
) Hon. Liam O’Grady  
) Hon. Michael S. Nachmanoff  
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**ORDER**

This matter comes before the Court *sua sponte*. Plaintiff brings this cause of action on behalf of American Investment Real Estate Corporation (AIREC), a revoked Virginia corporation for which Plaintiff served as the President and Chief Executive Officer. Dkt. 1, ¶ 2; Dkt. 5, ¶ 6. Plaintiff claims to derive his authority to bring this suit from Va. Code Ann. § 13.1–752, which passes the properties and affairs of a terminated corporation to its directors as trustees. However, under Va. Code Ann. § 13.1–755, causes of action owned by the corporation prior to dissolution are retained by the corporation to be brought in the corporation’s name. *RBA Capital, LP v. Anonick*, 2009 WL 960090, at \*3 (E.D.Va. Apr. 8, 2009) (citing *City of Virginia Beach v. Bell*, 498 S.E.2d 414, 418 (Va. 1998)). This case has not been brought in the corporation’s name but in the name of Plaintiff “in his personal capacity.” Dkt. 1, ¶ 2.

Accordingly, all matters in this case are hereby **STAYED**. Plaintiff has thirty (30) days from the date of this order to **SHOW CAUSE** why this case should not be dismissed with prejudice for lack of standing.


If Plaintiff seeks to have the Court liberally construe his complaint to deem it brought on

behalf of AIREC, Plaintiff is hereby notified, without reaching the question of whether the Court could so construe, that corporations may not proceed *pro se* in federal court. *See, e.g., Premium Products, Inc. v. Pro Performance Sports LLC*, 997 F.Supp.2d 433, 437 (E.D. Va. 2014). A motion to so construe filed in response to this Order must be filed by an attorney duly admitted to this Court.

The Clerk of Court is instructed to mail a copy of this order to the plaintiff.

It is so **ORDERED**.

January 22, 2018  
Alexandria, Virginia

  
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Liam O'Grady  
United States District Judge